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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 UNITED STATES OF AMERICA,) No. CR 08-0238 MHP
18 Plaintiff,)
19 v.)
20 SHI GUANG GUAN,)
21 Defendant.)
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23 STIPULATION AND [PROPOSED]
24 ORDER EXCLUDING TIME FROM JULY
25 27, 2009 THROUGH AUGUST 10, 2009

26 On July 27, 2009, the parties in this case appeared before the Court for a status
27 conference. The parties stipulated and the Court agreed that time should be excluded from the
28 Speedy Trial Act calculations from July 27, 2009, through August 10, 2009, for effective
preparation of defense counsel. The parties represented that granting the continuance was the
reasonable time necessary for effective preparation of defense counsel, taking into account the
exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties agreed that the ends of
justice served by granting such a continuance outweighed the best interests of the public and the

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30 STIP. AND [PROPOSED] ORDER EXCLUDING TIME
31 CR 08-0238 MHP

1 defendants in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

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3 SO STIPULATED:

4 JOSEPH P. RUSSONIELLO
5 United States Attorney

6 DATED: August 10, 2009 /s/

7 OWEN P. MARTIKAN
8 Assistant United States Attorney

9 DATED: August 10, 2009 /s/

10 PETER GOODMAN, ESQ.
11 Attorney for Shi Guang Guan

12 As the Court found on July 27, 2009, and for the reasons stated above, an exclusion of
13 time from July 27, 2009, through August 10, 2009, is warranted due to delay resulting from the
14 transfer of a case, and because the ends of justice outweigh the best interests of the public and
15 the defendant in a speedy trial. *See* 18 U.S.C. §3161 (h)(1)(G) and (h)(7)(A). The failure to
16 grant the requested continuance would deny defense counsel the reasonable time necessary for
17 effective preparation, taking into account the exercise of due diligence, and would result in a
18 miscarriage of justice. *See* 18 U.S.C. §3161(h)(7)(B)(iv).

19 SO ORDERED.

20 DATED: 8/11/2009

